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**THE UNIVERSITY OF MIAMI  
NATIONAL SECURITY & ARMED CONFLICT  
LAW REVIEW**

Volume 1 – Summer 2011



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**Article Requirements:**

The Executive Board of the University of Miami National Security & Armed Conflict Law Review welcomes the submission of articles written by professors, practitioners, and other scholars.

The National Security & Armed Conflict Law Review accepts articles written on national security, law of war, and armed conflict-related areas of the law. Manuscripts submitted to this Review should comply with ***The Bluebook: A Uniform System of Citation (19th ed. 2010)***.

The Review prefers that articles be submitted electronically using Microsoft Word. Once accepted, each article will be published on a rolling basis. NSAC publishes three types of works as follows:

- **Articles:** Articles are designed to advance national security and armed conflict scholarship.
- **Member case notes:** Member case notes are articles written by our members and other student scholars.
- **Book reviews:** Book reviews evaluate a current, published work in the national security field.

When submitting any type of work, we request that contributors comply with the following standards:

**Electronic Submissions:**

We strongly encourage authors to submit their manuscripts electronically in Microsoft Word format. Submissions should be emailed as an attachment to nsac@students.law.miami.edu with the word "Submissions" and the author's last name in the subject line.

**Length Guidelines:**

- **Articles:** Articles are generally between 15-40 pages double-spaced. Shorter or longer works are considered on a case-by-case basis.
- **Member case notes:** Member case notes are between 20-30 pages double-spaced. Works outside this range may be considered in exceptional circumstances.
- **Book reviews:** Book reviews are reviewed on a case-by-case basis.

**Questions? Please contact:**

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In this inaugural issue, I would like to thank the faculty and staff of the University of Miami School of Law for their tremendous support and advice in establishing this review. In particular, the support of Professor Markus Wagner and Dean Patricia White was indispensable; this publication would not exist without the time you so generously devoted.

Sincerely,

Bryan K. Doeg  
Editor-in-Chief

## **SECURITY INTRODUCTION FROM THE EDITOR IN CHIEF, BRYAN DOEG**

Humans have engaged in armed conflicts of ever increasing scale and devastation since the beginning of history. At various points in time, informal codes (such as western chivalric ideals, Japanese bushido, etc.) have risen to establish rules to govern who can be involved in combat, who can be targeted, and what the limitations of legitimate warfare will be. These rules have become increasingly formalistic and now, rather than merely destroying one's reputation, a violation of the law of war can lead to a prosecution of the perpetrator as a war criminal.

The study of the law of armed conflict is of the utmost importance, as legal considerations now factor into nearly all modern military operations. This publication provides a forum for scholarly discussion of the interaction between military necessity and the law. Furthermore, issues of national security arise in times of peace and war, whether it is focused on interrupting the flow of illicit narcotics, firearms, individuals or information, issues of national security and the governing legal framework are equally important.

This journal was created to study the legal aspects of national security and armed conflict globally, not just in the United States. The University of Miami School of Law, located in the crossroads of the Americas, provides an ideal situs for this journal and has been incredibly helpful in its launch. While the review does have an annual print component, publications will primarily be made online, enabling new articles to be published sooner than most competing publications. This method provides a degree of flexibility unmatched in the old style of law review publication and necessary to keep abreast of the ever-changing world of national security and armed conflict issues.

National security and armed conflict represent an age old, yet rapidly developing area of both municipal and international law. This edition covers a wide variety of topics including the prosecution of the crime of aggression at the ICC, American bureaucracy and its effects on responses to crimes against humanity, and so much more. We at the University of Miami National Security & Armed Conflict Law Review welcome readers to the inaugural edition of this publication and look forward to serving your scholarly needs regarding this important and rapidly changing field for many years in the future.

Sincerely,

Bryan K. Doeg  
Editor-in-Chief

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